



## **NOVEMBER 4 - 8, 2002 ST. PAUL, MINNESOTA**

**David R. Hansen, Chief Judge - Cedar Rapids, IA**

### **Circuit Judges in Active Service**

**Theodore McMillian - St. Louis, MO  
Pasco M. Bowman - Kansas City, MO  
Roger L. Wollman - Sioux Falls, SD  
James B. Loken - Minneapolis, MN  
Morris S. Arnold - Little Rock, AR  
Diana E. Murphy - Minneapolis, MN  
Kermit E. Bye - Fargo, ND  
William Jay Riley - Omaha, NE  
Michael J. Melloy - Cedar Rapids, IA  
Lavenski R. Smith - Little Rock, AR**

### **Circuit Judges Who Have Taken Senior Status**

**Donald P. Lay - St. Paul, MN  
Gerald W. Heaney - Duluth, MN  
Myron H. Bright - Fargo, ND  
Donald R. Ross - Omaha, NE  
Richard S. Arnold - Little Rock, AR  
John R. Gibson - Kansas City, MO  
George G. Fagg - Des Moines, IA  
Frank J. Magill - Fargo, ND  
C. Arlen Beam - Lincoln, NE**

## NOTICE TO ALL COUNSEL

Please review the entire calendar, as you may have more than one case scheduled for oral argument. Please check the calendar carefully for the starting time for your day and division.

***With the exception of the Wednesday session, court will be held in the Warren E. Burger Federal Building at 316 N. Robert Street, St. Paul, Minnesota. Counsel presenting oral argument should report to the Clerk's Office, Room 500, 30 minutes before Court convenes.***

***On Wednesday, court will be held at the William Mitchell College of Law located on 875 Summit Avenue, St. Paul, Minnesota.***

Counsel may not waive oral argument without prior leave of court. Absent leave of court, only one attorney is permitted to present the argument for a party. However, if the parties on a side are separately represented and have filed separate briefs, each party on that side is permitted to argue; in such a case, counsel must confer and decide how they will split the time shown on the calendar. Questions should be addressed to the Clerk of Court.

Appearance forms of counsel, if not previously submitted, must be completed and forwarded immediately to the clerk's office. Every attorney who presents oral argument must be admitted to the Eighth Circuit Bar unless appointed to represent a party proceeding in forma pauperis.

The time allotted for each side's argument is noted to the right of the case. ***Cases designated as NO ARG will be submitted to the Court on the briefs and record without oral argument, and counsel are not required to appear for cases designated NO ARG.***

Michael E. Gans  
Clerk of Court

***Updated 11/1/02***

**DIVISION I**

**MONDAY, NOVEMBER 4, 2002, BEGINNING AT 9:00 A.M.  
BEFORE JUDGES WOLLMAN, FAGG, LOKEN**

**JAB**

- |    |           |   |               |
|----|-----------|---|---------------|
| 1. | 01-3888MN | Patrick M. Hays, etc., et al. v. Luverne Hoffman, et al.                              | 20 Appellants |
|    | 01-3891MN | Patrick M. Hays, etc., et al. v. Luverne Hoffman, et al.                              | 20 Appellees  |
|    |           |   | 10 Intervenor |
| 2. | 01-3764EA | United States of America ex rel. Pat Costner, et al. v. URS Consultants, Inc., et al. | 20            |
| 3. | 02-1902EA | United States of America ex rel. Pat Costner, et al. v. URS Consultants, Inc., et al. | 10            |
| 4. | 02-1444MN | Halver Bailey, et al. v. Ameriquet Mortgage Company                                   | 20            |
| 5. | 02-2259NE | United States v. Joel Higuera   | 10            |

**TUESDAY, NOVEMBER 5, 2002, BEGINNING AT 9:00 A.M.  
BEFORE JUDGES WOLLMAN, FAGG, LOKEN**

**JMB**

- |    |           |  |               |
|----|-----------|--|---------------|
| 1. | 02-1518MN | Thomas Jacobs v. United Steelworkers of America    | 15            |
| 2. | 02-2281SD | United States v. Melissa Rose LaDeaux              | 15            |
| 3. | 02-1857MN | Northfield Telecommunications, etc. v. Itron, Inc. | 15            |
| 4. | 02-2097SD | United States v. Bernard Ray Young                 | 15            |
|    | 02-1653   | Roman Eleuterio Smythe v. U.S. Parole Commission   | <b>NO ARG</b> |
| 5. | 02-2214SI | United States v. Regina Arceo                      | 15            |

**DIVISION I**

**\*\*SPECIAL SESSION\*\***

**WILLIAM MITCHELL COLLEGE OF LAW**

**WEDNESDAY, NOVEMBER 6, 2002, BEGINNING AT 9:00 A.M.  
BEFORE JUDGES WOLLMAN, LAY, LOKEN**

			<b>JAB</b>
1.	01-3855MN	Robert Zick v. City of Maplewood, Minnesota, et al.	15
	01-3857MN	Kevin Berglund v. City of Maplewood, Minnesota, et al.	<b>NO ARG</b>
2.	02-1521MN	Luigino's, Inc., etc. v. Robert Peterson, etc., et al.	20
3.	02-1744MN	Ansaf Alexander v. The Northland Inn	15
	02-2137ND	United States v. Blaine Peter Morin	<b>NO ARG</b>

**DIVISION I**

**THURSDAY, NOVEMBER 7, 2002, BEGINNING AT 9:00 A.M.  
BEFORE JUDGES WOLLMAN, LAY, LOKEN**

			<b>CYZ</b>
1.	02-1679SD	Sarah Fink v. Dakotacare, et al.	20
2.	02-1780MN	Gas Aggregation Services, etc. v. Howard Avista Energy, LLC, et al.	20
3.	02-1572MN	Linda M. Eide, et al. v. Grey Fox Technical Services Corporation, etc., et al.	20
4.	02-1595NI	United States v. Montreail Dean Dungy	15
5.	02-1915NE	Linda Johnson, et al. v. Aaron Crooks	10

**FRIDAY, NOVEMBER 8, 2002, BEGINNING AT 8:30 A.M.  
BEFORE JUDGES WOLLMAN, LAY, LOKEN**

			<b>CYZ</b>
	02-1207SI	Ronald R. Mower, etc., et al. v. E. A. Westfall, etc., et al.	<b>NO ARG</b>
1.	02-2155NI	United States v. Olibio Nelson Topete, etc.	15
2.	02-1433MN	Tricia Lerohl, etc., et al. v. Friends of Minnesota Sinfonia, etc., et al.	
	02-1443MN	Shelley Hanson, et al. v. Friends of Minnesota Sinfonia, etc., et al.	15
	02-1973NI	United States v. Joseph Paul Daniels	<b>NO ARG</b>
	02-2069SI	United States v. Joe Dee Couch	<b>NO ARG</b>